IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3023 of 1994

For Approval and Signature:

HON'BLE MR.JUSTICE D.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

MOHMAD HABIB ABDUL REHMAN SAIYAD

Versus

KAPADWANJ MUNICIPALITY

Appearance:

1. Special Civil Application No. 3023 of 1994
MS KRINA C.THAKKAR FOR MR YOGESH S LAKHANI
for Petitioner No. 1
MR VC DESAI for Respondent No. 1

CORAM : HON'BLE MR.JUSTICE D.A.MEHTA

Date of decision: 09/07/2004

ORAL JUDGEMENT

Ms.Krina C.Thakkar for Mr.Y.S.Lakhani, learned

Advocate for the petitioner submits that she has no instructions and prays for time. Mr.V.C.Desai, learned Advocate appearing on behalf of the respondent-municipality tenders communication dated 7/7/2004 addressed to him by the respondent municipality and submits that in light of the same the petition has become infructuous and no grievance of the petitioner survives. It is an admitted position that the petitioner has since retired from service. In the circumstances the petition is disposed of as having become infructuous with a liberty to the petitioner to revive in case of difficulty. Rule is discharged. There shall be no order as to costs.

(D.A.Mehta, J)
m.m.bhatt